



STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES
IN-STREAM SAND AND GRAVEL OPERATIONS

INSTRUCTION TABLE AND DEFINITIONS

INFORMATION FOR INDUSTRIAL MINERAL MINE PERMITTING

Please address all permitting information to:

LAND RECLAMATION PROGRAM
Missouri Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65102-0176

The table below summarizes the items that require completion and submittal for various In-Stream sand and gravel permitting activities. An "X" indicates a required item or the item may not be required if further explained by the associated note. The numbers in parentheses refer to specific notes listed on the following page. Definitions of terms begin on page two. For more information or forms, call (573) 751-4041 or visit the Department's web site at www.dnr.state.mo.us/oac/forms/index.html.

PERMITTING ACTION ▶	NEW PERMIT	RENEWAL (To reissue permit for one more year)	AMENDMENT (To add acres that are identified in a current Public Notice and Site Information form)	REVISION (To change a Stream Protection Plan)	EXPANSION (To add new acres and/or sites that are not identified in a current Public Notice and Site Information form)	TRANSFER (To reassign permit or site to a new operator)
ITEM ▼						
Permit Application For Industrial Mineral Mines	X		X	X	X	
Permit Renewal Form		X				
Site Information Form	X	X(4)			X(8)	X(4)
Stream Protection Plan	X			X	X(10)	X(6)
Public Notice	X(11)			X(11)	X(9)	X(11)
Public Notification Letter	X(11)			X(11)	X(9)	X(11)
Consent to Entry	X(3)	X(5)			X(5)	X(3)
Two copies of each Locator and Detail Map	X		X		X	X(6)
Fees and Bonding Worksheet: Annual Permit Fee	X(1)	X(1)	X(1)		X(1)	
Site Fee	X(2)	X(2)	X(2)		X(2)	
Bonding	X(7)	X(7)	X(7)		X(7)	X(7)
Permit Transfer						X

NOTES

- (1) The annual permit fee for In-stream sand and gravel operations mining 5,000 tons per year or less is \$300. The annual permit fee for all other In-stream operations is \$500. Checks must be made payable to the "DNR - Land Reclamation Program". The annual permit fee is paid at the beginning of each permit year. Operations electing additional permit options after the annual permit fee is paid do not have to re-pay the annual fee during that same year. Do not use the Fees and Bonding Worksheet form for Permit Renewals. **The maximum total fee for any permit application is \$2,500.**
- (2) In-stream sand and gravel operators mining 5,000 tons per year or less do not pay a **site fee**. The site fee for all other In-stream operations is \$300 if the site is operated six months or more per permit year or \$150 for any site that is operated less than six (6) months per permit year. Like the annual permit fee, the site fee must be paid annually. If you mine more than 5,000 tons per year and wish to add new sites, a fee is owed for each additional site at the time of expansion. A "site" is an individual sand/gravel bar, or may be two or more bars if there is easy access between them. Do not use the Fees and Bonding Worksheet form for Permit Renewals. **The maximum total fee for any permit application is \$2,500.**
- (3) Where consent to entry from the landowner(s) is required (see Definitions), a **Consent to Entry** form must be completed when applying for a new permit or transferring an existing permit.
- (4) A new **Site Information Form** must be provided if there has been a change in ownership of land under permit. One Site Information Form is required for each landowner.
- (5) Where consent to entry from the landowner(s) is required (see Definitions), a **Consent To Entry** form must be completed when renewing or expanding a permit only if new landowners are involved.
- (6) A revised **Stream Protection Plan** and map must be submitted if the successive operator intends to change the method of operation.
- (7) Initially, an In-stream sand and gravel operator will not be required to submit bond due to a lack of reclamation responsibility (the stream itself reclaims mined areas). However, if an operator causes damage to the stream (accelerated bank erosion, channel head-cutting, excessive sedimentation downstream, or impeded stream flow), based on inspection and subsequent review by the Staff Director that a reclamation liability exists, the operator will be required to post a reclamation bond. In these cases, operators mining 5,000 tons or less of gravel per year will be required to post a bond of \$500.00 for each permitted acre. Operators mining more than 5,000 tons of sand and/or gravel per year will be required to post a minimum of \$8,000.00 to cover the first eight acres, and \$500.00 for each additional acre over eight.
- (8) A **Site Information Form** must be provided for a permit expansion and is required for each individual landowner.
- (9) A **public notice** and **public notification letter** is required for a Permit Expansion. **NOTE: Do not publish the public notice and do not distribute the public notification letter(s) until the Department's Land Reclamation Program informs you to do so.**
- (10) A new **Stream Protection Plan** is required if the new sites/acres are not mined similar to a current, approved Stream Protection Plan.
- (11) Do not publish the **public notice** or mail **public notification letter(s)** until a representative of the Department's Land Reclamation Program informs you to do so.

DEFINITIONS

- (A) A **Permit Application For Industrial Minerals Mines** consists of one page of basic information about the operator and acres to be permitted. This same form is to be used for all permit actions except permit renewals and transfers. Mark the applicable box or combination of boxes listed near the top of the form. For example, if the applicant were expanding his/her permit, s/he would check the "Permit Expansion" box. The application form must be signed by the applicant and notarized. A Fees and Bonding Worksheet must also be completed and submitted with a Permit Application form.
- (B) A **Fees and Bonding Worksheet** is used to compute the required fees and bonding requirements for all types of permit actions, except a permit renewal and an acre-for-acre permit transfer. **The maximum total fee for any permit application is \$2,500.** There are two sections of fees and bonding schemes. Section I concerns operations that mine "over" five-thousand (5,000) tons of sand and gravel per permit year. Section II concerns operations that mine five-thousand (5,000) tons or less of sand and gravel per permit year. The fees associated with each section are explained below and on the next page.

Section I. Fees for all operations mining **over** five-thousand (5,000) tons of sand and gravel per year.

- a. **Permit fee:** \$500. See note (1) on page 2 of this package.
- b. **Site fee:**
 - i. \$300/site if the site will be mined for **six months** or more during the permit year, or
 - ii. \$150/site if the site will be mined for **less than six months** during the permit year.See note (2) on page 2 of this package.
- c. **Acreage fee:** There is no acreage fee due on any In-stream operation unless a reclamation liability is associated with the operation that required a posted bond. In most cases In-stream operators do not have a bond posted.

DEFINITIONS (CONTINUED)

Section II. Fees for all operations **under** five-thousand (5,000) tons per year.

- a. **Permit fee:** \$300. See note (1) on page 2 of this package.
- b. **Site fee:** There is no site fee for operations that mine less than five-thousand (5,000) tons per year. See note (2) on page 2 of this package.
- c. **Acreage fee:** There is no acreage fee due on any In-stream operation unless a reclamation liability is associated with the operation that required a posted bond. In most cases In-stream operators do not have a bond posted.

- (C) **A Permit Renewal Form For Industrial Minerals Mines** consists of one page of basic information about the operator and the fees. This form is used only to renew the permit and compute the annual permit renewal fees. If another operator elects to renew the permit for an additional year and also elects to add additional acres then a Permit Renewal Application, Permit Application and also a Fees and Bonding Worksheet is required by the Department's Land Reclamation Program.
- (D) **A Site Information Form** (MO 780-1036) consists of one page upon which the applicant gives the location, current landowner(s), operator's right to mine, and owner(s) of the mineral rights at the mining site. A "site" is an individual sand/gravel bar or may be two or more bars if they are easily accessible from one to another.
- (E) **A Stream Protection Plan** (MO 780-1334) consists of a total of three pages. Two of the pages describes how the operator will protect the stream environment. The Stream Protection Plan also describes how mining operations will be conducted within a specific reach of creek or river and during a specified period of time. The plan also describes how operations will be conducted to minimize impacts to the stream. **The Stream Protection Plan must be signed by the applicant and notarized.**

The Department's Land Reclamation Program strongly encourages that In-stream operations be conducted in accordance with the Missouri Department of Natural Resources, Water Pollution Control Program, *Water Quality Protection Guidelines for Sand and Gravel Excavation*, found on the back page of the brochure entitled "Laws and Regulations That Might Affect You if You Mine Sand or Gravel from Missouri Streams." These Guidelines should also be incorporated into your Stream Protection Plans.

There are two types of stream protection plans:

Short-Term Stream Protection Plan: This plan describes mining operations that will be done during one year. A short term Stream Protection Plan is for operators who plan on conducting mining operations for a period of only one year or less.

Long-Term Stream Protection Plan: This plan will save you time and money! An operator who wishes to reduce permitting paperwork and is able to state how sand and gravel will be removed from a specific reach of stream over the course of more than one (1) year may apply for a long-term Stream Protection Plan. Check the box marked "LONG TERM" at the top of page one of the Stream Protection Plan form and give the date through which the Plan remains valid.

- (F) **A Public Notice** (containing the information shown on Form LRP-PN1) must be printed once per week, for four (4) consecutive weeks in a local newspaper whose readership includes the area to be mined. Permits cannot be issued until the public comment period has elapsed (fifteen days following the final public notice publication date) providing that there is no request for a public meeting or a hearing. Proof of public notice publication must be provided. Proof shall be from a publisher's affidavit stating that the newspaper was published in compliance with provisions of section 493.050, RSMo. If you have a long-term Stream Protection Plan, the public notice should include the same long-term date listed at the top of page one of the plan. NOTE: *The public notice cannot be published until a representative from the Land Reclamation Program informs you to do so.*
- (G) **A Public Notification Letter**, letter of intent to operate a surface mine, in addition to the above newspaper notice, is also required. The operator shall send a notice of intent to operate a surface mine by **certified mail** to:
1. The governing body of the counties or cities in which the proposed area is located and;
 2. The last known addresses all of record landowners of contiguous real property or real property located adjacent to the proposed mine plan area and;
 3. The content of the public notification letter sent shall be the same as the public notice that is required to be published in the local newspaper. NOTE: *Do not distribute the public notification letter until a representative from the Department's Land Reclamation Program informs you to do so*
- (H) The **Consent to Entry** form (MO 780-1329) must be signed by all landowners (or their legal representatives) identified on the Site Information Form. This form certifies that the landowner gives permission for Land Reclamation Program personnel to enter his/her property to inspect the mine site. A Consent to Entry form is not required if the operator: 1) is the landowner, or 2) mines less than 10,000 tons of mineral commodities per year from all areas permitted by the Department's Land Reclamation Program.

DEFINITIONS (CONTINUED)

- (I) **Locator Map and Detail Map** are required for all mine sites.

I. LOCATOR MAP - two copies required.

The map must be of sufficient scale to locate and distinguish the permit boundary from other mine sites in the area. Please mark the access route from the nearest public road to the site so that our inspector can visit the mine. The locator map may be prepared on an original or clearly copied Missouri Highway Department County map, United States Geological Survey (USGS) 7-minute topographic map (map scale 1" = 2,000'), county assessor map **or an up-to-date county ownership plat**. In general, operators submit an up-to-date county ownership plat map to satisfy adjacent property owner notification letter requirements.

The locator map must show the following:

1. The permit area in relation to state or county roads and towns or cities in the general area.
2. North arrow, and map scale.
3. Company name, county, mine or site name, legal description (section, township, range), date of map preparation, and preparer's name.

II. DETAIL MAP - two copies required.

The Detail Map must be at a scale of one inch to six hundred sixty feet (1" = 660') or larger (for example, 1" = 400', 1" = 200'). An original or clearly copied, up-to-date Agricultural Stabilization Conservation Service (ASCS) aerial photo (1" = 660') may be used as a base map.

The Detail Map must show the following:

1. The permit boundary. When submitting a long-term Stream Protection Plan, the boundary of the long-term Stream Protection Plan area must be identified on the detail map. The acreage associated with each boundary must be illustrated on the detail map.
2. Property lines and names of landowners, owners of surface and subsurface rights within the Stream Protection Plan area and names of all owners of adjacent properties.
3. Approximate positions of public roads located in or within one hundred feet (100') of the permit area.
4. The location terraces, waterways, and diversions within the Stream Protection Plan area.
5. The location of acreage within the Stream Protection Plan boundary.
6. Company name, permit number, county, site name or number, legal description (section, township, and range), date of map preparation, preparer's name, north arrow, and map scale.
7. Creeks or streams in or within one hundred feet (100') of the permit area.
8. Areas within the permit boundary mined prior to August 28, 1990.
9. Locations of abandoned underground or surface mines in, or adjacent to, the permit area.
10. Locations of acid or toxic-forming materials.
11. Positions of erosion and sediment control devices or structures.
12. Location of any structures (buildings, etc.) and natural or cultural features that require protection.

- (J) **Bonding**, see note (7) on page 2 of this packet.

- (K) A **new permit** involves operations being permitted for the first time. A new permit is assigned a unique identification number. To aid in the permitting process, an operator seeking a new permit may contact the Department's Land Reclamation Program for the next new permit number.

- (L) A **renewal** extends the term of an existing permit by another year. It can be a simple renewal with no changes in the location of the operation or deviation in the Stream Protection Plan from the previous year. Please use the Permit Renewal Form for Industrial Mineral Mines. If the application involves more than a simple renewal, be sure to use the Permit Application for Industrial Mineral Mines form and the Fees and Bonding Worksheet, in addition to the Permit Renewal Application form.

- (M) A **permit amendment** applies when an operator wants to add new acres to the permit area and the new acreage total does not exceed the number of acres described in the current long-term Stream Protection Plan boundary, acreage associated with the legal description identified in the public notice and the site information form - see Example #1. Amendments can be requested at any time, not just at the time of permit renewal.

DEFINITIONS (CONTINUED)

EXAMPLE #1

An operator, with a 10-acre long term Stream Protection Plan and 6 acres under permit, wants to renew the existing permit. In addition to the 6-acres under permit, two (2) new acres are to be permitted in the next 12 months bringing the total permitted area to eight (8) acres. Because the 8 acres the operator requests is still within the 10-acre long-term Stream Protection Plan boundary area, Site Information form and the acres are identified in a valid, current public notice; the operator should complete a Permit Application form for **amendment** (2 acres), complete a Fees and Bonding Worksheet if mining more than 5,000 tons of sand and gravel per permit year, and complete a Renewal Application for (6 acres).

- (N) A **revision** changes the operation methods described in a current, approved Stream Protection Plan (EXAMPLE #2). Revisions can be requested at any time.

EXAMPLE #2

Sandbox Gravel Company has been mining gravel bars on the Blue River with an old dragline. During the permit year, the Company sells the dragline and purchases a rubber tired front-end loader. Changing machinery constitutes a change in mining operations, so the operator must apply for a permit revision using the Permit Application For Industrial Mineral Mines (form 780-1007).

- (O) An **expansion** applies when an operator wants to add new acres and/or sites to his/her permit that are not identified in a current Site Information form or a current Public Notice. A new Stream Protection Plan is required if the new sites/acres are not covered by a current, approved Stream Protection Plan (EXAMPLE #3). Expansions can be requested at any time.

EXAMPLE #3

Evan's Backhoe and Excavating is permitted to mine gravel on two acres in the Big Green River. Business is growing and the operator can now sell more gravel. The company gets permission from a landowner to mine gravel bars along the Red River.

The Evan's Backhoe permit on the Big Green River is still valid for eight more months. To expand the permit to cover the Red River sites, the operator must submit a Permit Application For Industrial Mineral Mines, checking the box marked "Expansion," and submit all other appropriate paperwork as indicated in the instruction table. This is different compared to an amendment because the Red River Site was not identified in the long-term Stream Protection Plan boundary and the Red River Site was not identified in a public notice or a site information form.

- (P) A **Permit Transfer** is used when one operator purchases or takes over a mining operation or a site that is already Permitted with the Department's Land Reclamation Program.



STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES
**IN-STREAM SAND AND GRAVEL OPERATIONS
ANNUAL OPERATIONS STATUS REPORT**

Operations removing sand and/or gravel from within a stream are asked to report where sand and/or gravel removal occurred during the past permit year. Example - If your permit year runs from May 25 last year to May 24 this year, you would report all areas mined during that 12-month period.

These reports are due within 60 days of the date the current permit expires or of the date the last permit was renewed (whichever date is first after January 1).

The following table may be used to report the locations. **In addition, the locations must be shown on a map. The map may be a copy of the same map provided with the permit application.**

PLEASE COMPLETE THE FOLLOWING

NAME OF OPERATOR (USE THE SAME NAME AS LISTED ON YOUR LAST CERTIFICATE)

PERMIT NUMBER	PERMIT YEAR (BEGINNING DATE TO ENDING DATE: EXAMPLE: 5/25/96 - 5/24/97)
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LIST ALL LOCATIONS WHERE SAND AND GRAVEL WERE REMOVED DURING THE PAST PERMIT YEAR.

COUNTY	SECTION	TOWNSHIP	RANGE	ACREAGE	STREAM NAME

AFTER COMPLETION, RETURN THIS FORM TO:

LAND RECLAMATION PROGRAM
DEPARTMENT OF NATURAL RESOURCES
P.O. BOX 176
JEFFERSON CITY, MO 65102